BEFORE THE BOARD OF REGISTERED NURSING DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Accusation Against:

CELESTINE MUSA 13388 Cumberland Place Fontana, CA 92336

Registered Nurse License No. 551367

Respondent

Case No. 2008-126

OAH No. L-2007120369

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as it's Decision in the above entitled matter.

This Decision shall become effective on June 16, 2008.

IT IS SO ORDERED May 16, 2008.

President

Board of Registered Nursing

La Trancine Whate

Department of Consumer Affairs

| 1 | EDMUND G. BROWN JR., Attorney General of the State of California | | |
|----|--|---|--|
| 2 | GLORIA A. BARRIOS Supervising Deputy Attorney General LINDA L. SUN, State Bar No. 207108 Deputy Attorney General 300 So. Spring Street, Suite 1702 | | |
| 4 | | | |
| 5 | Los Angeles, CA 90013 Telephone: (213) 897-6375 | | |
| 6 | Facsimile: (213) 897-2804 | | |
| 7 | Attorneys for Complainant | | |
| 8 | DEPARTMENT OF CONSUMER AFFAIRS | | |
| 10 | In the Matter of the Accusation Against: | Case No. 2008-126 | |
| 11 | CELESTINE MUSA | OAH No. L-2007120369 | |
| 12 | 13388 Cumberland Place Fontana, CA 92336 | STIPULATED SETTLEMENT AND | |
| 13 | Registered Nurse License No. 551367 | DISCIPLINARY ORDER | |
| 14 | Respondent. | | |
| 15 | IT IS HEREBY STIPULATED AND AGREED by and between the parties to the | | |
| 16 | above-entitled proceedings that the following matters are true: | | |
| 17 | PARTIES PARTIES | | |
| 18 | 1. Ruth Ann Terry, M.P.H, R.N. | (Complainant) is the Executive Officer of | |
| 19 | the Board of Registered Nursing (Board). She broug | ght this action solely in her official capacity | |
| 20 | and is represented in this matter by Edmund G. Brown Jr., Attorney General of the State of | | |
| 21 | California, by Linda L. Sun, Deputy Attorney Gener | ral. | |
| 22 | 2. Respondent Celestine Musa (| Respondent) is represented in this proceeding | |
| 23 | by attorney Lance Dacre, whose address is Welch, I | Dacre & Associates, P.C., 472 N. Arrowhead | |
| 24 | Avenue, San Bernardino, California 92401. | | |
| 25 | 3. On or about January 28, 1999 | , the Board issued Registered Nurse License | |
| 26 | No. 551367 to Respondent. The Registered Nurse L | cicense was in full force and effect at all | |
| 27 | times relevant to the charges brought in Accusation No. 2008-126 and will expire on June 30, | | |
| 28 | 2008, unless renewed. | | |

JURISDICTION

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4. Accusation No. 2008-126 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on October 16, 2007. Respondent timely filed his Notice of Defense contesting the Accusation. A copy of Accusation No. 2008-126 is attached as Exhibit A and incorporated herein by reference.

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ADVISEMENT AND WAIVERS

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5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2008-126. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

- 8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2008-126.
- 9. Respondent agrees that his Registered Nurse License is subject to discipline and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

CONTINGENCY

| 10. This Stipulation shall be subject to approval by the Board. Respondent |
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| understands and agrees that counsel for Complainant and the staff of the Board may |
| communicate directly with the Board regarding this stipulation and settlement, without notice to |
| or participation by Respondent or his counsel. By signing the stipulation, Respondent |
| understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation |
| prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation |
| as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force |
| or effect, except for this paragraph, it shall be inadmissible in any legal action between the |
| parties, and the Board shall not be disqualified from further action by having considered this |
| matter |

- The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.
- 12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

DISCIPLINARY ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. 551367 issued to Respondent is revoked. However, the revocation is stayed and Respondent is placed on probation for three (3) years on the following terms and conditions.

Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

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1. Obey All Laws. Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

Criminal Court Orders: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. Comply with the Board's Probation Program. Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, Respondent's license shall be fully restored.

- 3. **Report in Person.** Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.
- 4. Residency, Practice, or Licensure Outside of State. Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period. Respondent's probation is tolled, if and when he resides outside of California. Respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Respondent shall provide a list of all states and territories where he has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Respondent shall inform the Board if he applies for or obtains a new nursing license during the term of probation.

5. Submit Written Reports. Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to Respondent's compliance with all the conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

Respondent shall provide a copy of this Decision to the nursing regulatory agency in every state and territory in which he has a registered nurse license.

6. Function as a Registered Nurse. Respondent, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The Board may require that advanced practice nurses engage in advanced practice nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

If Respondent has not complied with this condition during the probationary term, and Respondent has presented sufficient documentation of his good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of Respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation shall apply.

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7. **Employment Approval and Reporting Requirements.** Respondent shall obtain prior approval from the Board before commencing or continuing any employment, paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all performance evaluations and other employment related reports as a registered nurse upon request of the Board.

Respondent shall provide a copy of this Decision to his employer and immediate supervisors at All Star Staffing and at the Riverside Regional Medical Center, prior to continuation of any employment as a registered nurse through the registry. In addition, Respondent shall provide a copy of this Decision to his employer and immediate supervisors prior to commencement or continuation of any other nursing or health care related employment.

In addition to the above, Respondent shall notify the Board in writing within seventy-two (72) hours after he obtains any new nursing or other health care related employment. Respondent shall notify the Board in writing within seventy-two (72) hours after he is terminated or separated, regardless of cause, from any nursing, or other health care related employment with a full explanation of the circumstances surrounding the termination or separation.

8. Supervision. Respondent shall obtain prior approval from the Board regarding Respondent's level of supervision and/or collaboration before commencing or continuing any employment as a registered nurse, or education and training that includes patient care. This includes any employment through All Star Staffing at the Riverside Regional Medical Center.

Respondent shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing, unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are approved. This includes any employment through All Star Staffing at the Riverside Regional Medical Center.

Respondent's level of supervision and/or collaboration may include, but is not limited to the following:

- (a) Maximum The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.
- (b) Moderate The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours Respondent works.
- (c) Minimum The individual providing supervision and/or collaboration has person-to-person communication with Respondent at least twice during each shift worked.
- (d) Home Health Care If Respondent is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with Respondent as required by the Board each work day. Respondent shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by Respondent with or without Respondent present.
- 9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for an in-house nursing pool, with the following exception. Respondent may work through All Star Staffing where he is currently employed, and through that registry he shall work solely in the Adult Critical Care Unit at the Riverside Regional Medical Center located at 26520 Cactus Avenue, Moreno Valley, California 92555, telephone number (951) 486-4900.

Respondent shall not work for any other registry or at any other placement through that registry. Respondent's employment as a registered nurse through such registry at any location other than at the Riverside Regional Medical Center, Adult Critical Care Unit, or any other employment as a registered nurse shall require prior approval by the Board. Should Respondent not receive prior approval, this shall constitute a violation of probation.

Respondent shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Respondent shall not work in any other registered nursing occupation where home visits are required.

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Respondent shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict Respondent from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Respondent shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If Respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

10. Complete a Nursing Course(s). Respondent, at his own expense, shall enroll and successfully complete a course(s) relevant to the practice of registered nursing no later than six months prior to the end of his probationary term.

Respondent shall obtain prior approval from the Board before enrolling in the course(s). Respondent shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to Respondent after photocopying them for its records.

11. Cost Recovery. Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of three-thousand and five-hundred dollars (\$3,500.) Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term.

If Respondent has not complied with this condition during the probationary term, and Respondent has presented sufficient documentation of his good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant an extension of Respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation will apply.

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12. Violation of Probation. If Respondent violates the conditions of his probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's license.

If during the period of probation, an accusation or petition to revoke probation has been filed against Respondent's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against Respondent's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition has been acted upon by the Board.

13. License Surrender. During Respondent's term of probation, if he ceases practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation, Respondent may surrender his license to the Board. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be subject to the conditions of probation.

Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

- (1) Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or
 - (2) One year for a license surrendered for a mental or physical illness.

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| 2 | <i>III</i> | | | |
| 3 | ACCEPTANCE | | | |
| 4 | I have carefully read the above Stipulated Settlement and Disciplinary Order and | | | |
| 5 | have fully discussed it with my attorney, Lance Dacre. I understand the stipulation and the effect | | | |
| 6 | it will have on my Registered Nurse License. I enter into this Stipulated Settlement and | | | |
| 7 | Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the | | | |
| 8 | Decision and Order of the Board. | | | |
| 9 | DATED: 3-6-08 | | | |
| 0 | CELESTINE MUSA | | | |
| 1 | Respondent | | | |
| 2 | I have read and fully discussed with Respondent Celestine Musa the terms and | | | |
| .3 | | | | |
| 4 | | | | |
| 5 | DATED: 3-6.08 | | | |
| 16 | | | | |
| 17 | LANCE DACKE Attorney for Respondent | | | |
| 8 | ENDORSEMENT | | | |
| 9 | The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully | | | |
| 20 | submitted for consideration by the Board. | | | |
| 21 | DATED: 36-08 | | | |
| 22 | EDMUND G. BROWN JR., Attorney General | | | |
| 23 | of the State of California | | | |
| 24 | GLORIA A. BARRIOS Supervising Deputy Attorney General | | | |
| 25 | | | | |
| 26 | LINDAL. SUN | | | |
| 27 | Deputy Attorney General | | | |
| 28 | Attorneys for Complainant | | | |
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Exhibit A
Accusation No. 2008-126

| 1 2 | EDMUND G. BROWN JR., Attorney General of the State of California GLORIA A. BARRIOS, | | |
|-----|--|---|--|
| 3 | Supervising Deputy Attorney General LINDA L. SUN, State Bar No. 207108 | | |
| 4 | Deputy Attorney General California Department of Justice | | |
| 5 | 300 So. Spring Street, Suite 1702 Los Angeles, CA 90013 | | |
| 6 | Telephone: (213) 897-6375 Facsimile: (213) 897-2804 | | |
| 7 | Attorneys for Complainant | | |
| 8 | BEFORE THE BOARD OF REGISTERED NURSING | | |
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| 10 | DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA | | |
| 11 | In the Matter of the Accusation Against: | Case No. 2008 - 124 | |
| 12 | CELESTINE MUSA | Case No. | |
| | 13388 Cumberland Place | ACCUSATION | |
| 13 | Fontana, CA 92336 | ACCUSATION | |
| 14 | Registered Nurse License No. 551367 | | |
| 15 | Respondent. | | |
| 16 | Canadainent alleges | | |
| 17 | Complainant alleges: | | |
| 18 | PARTIES | | |
| 19 | | (Complainant) brings this Accusation solely | |
| 20 | in her official capacity as the Executive Officer of the Board of Registered Nursing, Department | | |
| 21 | of Consumer Affairs (Board). | | |
| 22 | 2. On or about January 28, 1999. | , the Board issued Registered Nurse License | |
| 23 | No. 551367 to Celestine Musa (Respondent). The Registered Nurse License was in full force | | |
| 24 | and effect at all times relevant to the charges brought herein and will expire on June 30, 2008, | | |
| 25 | unless renewed. | | |
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JURISDICTION

- 3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.
- 4. Section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.
 - 6. Section 2761 states, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- "(a) Unprofessional conduct, which includes, but is not limited to, the following:
- "(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions."
 - 7. Section 2762 states, in pertinent part:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

. . . .

"(e) Falsify, or make grossly incorrect, grossly inconsistent, or unintelligible entries in any hospital, patient, or other record pertaining to the substances described in subdivision (a) of this section."

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8. California Code of Regulations, title 16, section 1443 states:

"As used in Section 2761 of the code, 'incompetence' means the lack of possession of or the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and exercised by a competent registered nurse as described in Section 1443.5."

9. California Code of Regulations, title 16, section 1443.5 states:

"A registered nurse shall be considered to be competent when he/she consistently demonstrates the ability to transfer scientific knowledge from social, biological and physical sciences in applying the nursing process, as follows:

- "(1) Formulates a nursing diagnosis through observation of the client's physical condition and behavior, and through interpretation of information obtained from the client and others, including the health team.
- "(2) Formulates a care plan, in collaboration with the client, which ensures that direct and indirect nursing care services provide for the client's safety, comfort, hygiene, and protection, and for disease prevention and restorative measures.
- "(3) Performs skills essential to the kind of nursing action to be taken, explains the health treatment to the client and family and teaches the client and family how to care for the client's health needs.
- "(4) Delegates tasks to subordinates based on the legal scopes of practice of the subordinates and on the preparation and capability needed in the tasks to be delegated, and effectively supervises nursing care being given by subordinates.
- "(5) Evaluates the effectiveness of the care plan through observation of the client's physical condition and behavior, signs and symptoms of illness, and reactions to treatment and through communication with the client and health team members, and modifies the plan as needed.
- "(6) Acts as the client's advocate, as circumstances require, by initiating action to improve health care or to change decisions or activities which are against the interests or wishes of the client, and by giving the client the opportunity to make informed decisions about health

care before it is provided." 1 **COST RECOVERY PROVISION** 2 10. Section 125.3 of the Code provides, in pertinent part, that the Board may 3 request the administrative law judge to direct a licentiate found to have committed a violation or 4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation 5 and enforcement of the case. 6 **SUMMARY OF FACTS** 7 11. On or about September 17, 2004, Patient E.B. suffered a single gunshot 8 wound to the right back just above the iliac crest with exit on the right abdomen and was 9 transported to Martin Luther King Hospital. After surgery, at approximately 2000 hours, E.B. 10 was transferred to the Intensive Care Unit (ICU) under Respondent's care. The ICU physician 11 ordered the following medications for the patient: 12 "D5 NS + 20 meg KCL/L @ 125cc/hr" 13 1845 hours "Cefotan (1)" 14 2046 hours "Epinephrine 1 mg IVP" "Transfuse 4 units FFP IV Now" 15 "IVF 1L NS Bolus" 16 "Hespan IVF 500cc NS Bolus" 2057 hours "Epinephrine 1 mg IVP (SBP=60)" 17 "Dopamine 800mg/500cc D5W IV" 18 12. 19 On the Medications Administration Record (MAR), Respondent 20 documented that he administered "D5 NS + 20meq KCL @ 125cc" at 2000 hours, and "IVF 21 Bolus 1L NS x 1" at 2145 hours. None of the other medications listed in the physician orders were documented in the MAR. 22 13. On the "Intravenous Intake" portion of the Nursing Flowsheet ICU, 23 Respondent documented that he administered "Dopamine 800mg/500cc at 2045 hours, "FFP #1" 24 at 2100 hours, and "FFP #2" at 2130 hours." 25 26 ///

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| 1 | 14. On the Nursing Progress Notes, Respondent documented the following: | | | |
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| 3 | 2000 hours | "Admitted from OR" "GSW-Abd and lower back (with) severe and persistent bleeding." "Pt-Comatose-unresponsive." "Pupils 6+ fixed and dilated." "BP 85/42." | | |
| 4 | 2100 hours | "FFP (fresh frozen plasma) initiated." "Pt | | |
| 5 | bleeding severely." "Abd and back dressing reinforced." "BP 68/42." "MD Dr. Hines @ bedside." | | | |
| 7 | 2130 hours "FFP #2 continues." "Pt remains | | | |
| 8 | | unresponsive." "BP unstable SBP 60-75 DBP 45-51." | | |
| 9 10 | 2145 hours | "Rhythm change alternative from sinus brady to junctional brady." "ACLS initiated." "Dr. Hines @ bedside." | | |
| 11 | 2150 hours | "CPR-ACLS continues. Pt remains comatose | | |
| 12 | | (with) unstable B/P." | | |
| 13 | 2200 hours | "ACLS continues. No improvement." | | |
| 14 | 2210 hours "Pt Expires. ACLS stopped." | | | |
| 15 | <u>FIRS</u> | FIRST CAUSE FOR DISCIPLINE | | |
| | (Unprofessional Conduct - False Records) | | | |
| 16 | (Unprof | essional Conduct - False Records) | | |
| | - | essional Conduct - False Records) s subject to disciplinary action under sections 2570 and 2762, | | |
| 16 | 15. Respondent i | · | | |
| 16 17 | 15. Respondent i subdivision (e), in that on or about | s subject to disciplinary action under sections 2570 and 2762, | | |
| 16 17 18 | 15. Respondent is subdivision (e), in that on or about the Martin Luther King Hospital ICU, I | s subject to disciplinary action under sections 2570 and 2762, September 17, 2004, while working as a registered nurse at | | |
| 16 17 18 19 | 15. Respondent is subdivision (e), in that on or about the Martin Luther King Hospital ICU, It inconsistent entries in the hospital respondent in the second subdivision (e), in that on or about the subdivision (e), in the | September 17, 2004, while working as a registered nurse at Respondent made false, grossly incorrect, or grossly | | |
| 16 17 18 19 20 | 15. Respondent is subdivision (e), in that on or about the Martin Luther King Hospital ICU, It inconsistent entries in the hospital reasonable at the Respondent of | September 17, 2004, while working as a registered nurse at Respondent made false, grossly incorrect, or grossly ecords pertaining to Patient E.B., as follows: | | |
| 16 17 18 19 20 21 | 15. Respondent is subdivision (e), in that on or about the Martin Luther King Hospital ICU, It inconsistent entries in the hospital reasonable at the Respondent of | September 17, 2004, while working as a registered nurse at Respondent made false, grossly incorrect, or grossly ecords pertaining to Patient E.B., as follows: charted his assessment of the patient's condition at 2000 hours sonnel that he did not notice that the patient had sustained a | | |
| 16 17 18 19 20 21 22 | 15. Respondent is subdivision (e), in that on or about the Martin Luther King Hospital ICU, It inconsistent entries in the hospital real. Respondent of but he later admitted to hospital per wound to his lower back until after | September 17, 2004, while working as a registered nurse at Respondent made false, grossly incorrect, or grossly ecords pertaining to Patient E.B., as follows: charted his assessment of the patient's condition at 2000 hours sonnel that he did not notice that the patient had sustained a | | |
| 16 17 18 19 20 21 22 23 | 15. Respondent is subdivision (e), in that on or about the Martin Luther King Hospital ICU, It inconsistent entries in the hospital real. Respondent of but he later admitted to hospital per wound to his lower back until after | September 17, 2004, while working as a registered nurse at Respondent made false, grossly incorrect, or grossly ecords pertaining to Patient E.B., as follows: charted his assessment of the patient's condition at 2000 hours sonnel that he did not notice that the patient had sustained a the patient had expired. | | |
| 16 17 18 19 20 21 22 23 24 | 15. Respondent is subdivision (e), in that on or about is Martin Luther King Hospital ICU, I inconsistent entries in the hospital range a. Respondent of but he later admitted to hospital per wound to his lower back until after b. Respondent a had expired. | September 17, 2004, while working as a registered nurse at Respondent made false, grossly incorrect, or grossly ecords pertaining to Patient E.B., as follows: charted his assessment of the patient's condition at 2000 hours sonnel that he did not notice that the patient had sustained a the patient had expired. | | |
| 16 17 18 19 20 21 22 23 24 25 | 15. Respondent is subdivision (e), in that on or about is Martin Luther King Hospital ICU, I inconsistent entries in the hospital range a. Respondent of but he later admitted to hospital per wound to his lower back until after b. Respondent a had expired. | September 17, 2004, while working as a registered nurse at Respondent made false, grossly incorrect, or grossly ecords pertaining to Patient E.B., as follows: Charted his assessment of the patient's condition at 2000 hours sonnel that he did not notice that the patient had sustained a the patient had expired. Admitted he charted in the patient's records after the patient | | |

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Incompetence)

- 16. Respondent is subject to disciplinary action under 2570 and 2761,
 subdivisions (a)(1), in conjunction with California Code of Regulations, title 16, section 1443, in
 that on or about September 17, 2004, while working as a registered nurse at Martin Luther King
 Hospital ICU, Respondent committed acts of incompetence pertaining to the care of Patient E.B.
 as follows:

 a. Respondent failed to administer or document the administration of Hepan
 - and Epinephrine as ordered by the physician.
 - b. Respondent provided inaccurate entries in the hospital records as described in paragraph 15 above, which is incorporated herein by reference as if fully stated.
 - c. Respondent failed to follow hospital policy and procedure relating to documentation.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 1. Revoking or suspending Registered Nurse License No. 551367, issued to Celestine Musa.
- 2. Ordering Celestine Musa to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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| 1 | 3. Taking such other and further action as deemed necessary and proper. |
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| 2 | DATED: |
| 3 | DATED: (C)/(C) |
| 4 | RUTH ANN TERRY, M.P.H, R.N |
| 5 | Frecutive Officer |
| 6 | Board of Registered Nursing Department of Consumer Affairs State of California |
| 7 | State of California |
| 8 | Complainant |
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